

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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EULA COLLINS BAILEY,

Plaintiff,

v.

ORDER  
00-CV-967A

DEPARTMENT OF CORRECTIONAL SERVICES  
OF THE STATE OF NEW YORK AND  
JOHN REDFERN,

Defendant.

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The above-referenced case was referred to Magistrate Judge Jeremiah J. McCarthy, pursuant to 28 U.S.C. § 636(b)(1)(B). On August 22 2007, Magistrate Judge McCarthy filed a Report and Recommendation, recommending that defendants' motion for summary judgment be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, defendants' motion for summary judgment is granted.

The Clerk of Court shall take all steps necessary to close the case.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

DATED: September 13, 2007